

# House Study Bill 677 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
HOUSE APPROPRIATIONS  
SUBCOMMITTEE ON JUSTICE  
SYSTEM)

## A BILL FOR

1 An Act relating to appropriations to the justice system and  
2 including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

FY 2013-2014 — APPROPRIATIONS

Section 1. 2013 Iowa Acts, chapter 139, section 3, paragraph a, is amended to read as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 43,107,133

Of the amount appropriated in this paragraph, the department may use up to \$500,000 for the remodel of the relocated John Bennett facility and the demolition of the existing farm bunkhouse adjacent to the newly constructed Fort Madison correctional facility. Notwithstanding section 8.33, moneys allocated in this unnumbered paragraph designated for the remodel and demolition that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 2. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION II

FY 2014-2015 — APPROPRIATIONS

Sec. 3. 2013 Iowa Acts, chapter 139, section 19, is amended to read as follows:

SEC. 19. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim

1 assistance grants, office of drug control policy prosecuting  
2 attorney program, and odometer fraud enforcement, and for not  
3 more than the following full-time equivalent positions:

4 .....	\$	<del>3,983,965</del>
5		<u>7,989,905</u>
6 .....	FTEs	214.00

7 It is the intent of the general assembly that as a condition  
8 of receiving the appropriation provided in this lettered  
9 paragraph, the department of justice shall maintain a record  
10 of the estimated time incurred representing each agency or  
11 department.

12 b. For victim assistance grants:

13 .....	\$	<del>3,367,200</del>
14		<u>6,337,024</u>

15 The funds appropriated in this lettered paragraph shall be  
16 used to provide grants to care providers providing services to  
17 crime victims of domestic abuse or to crime victims of rape and  
18 sexual assault.

19 The balance of the victim compensation fund established in  
20 section 915.94 may be used to provide salary and support of not  
21 more than 24 FTEs and to provide maintenance for the victim  
22 compensation functions of the department of justice.

23 The department of justice shall transfer at least \$150,000  
24 from the victim compensation fund established in section 915.94  
25 to the victim assistance grant program.

26 c. For legal services for persons in poverty grants as  
27 provided in section 13.34:

28 .....	\$	<del>1,090,281</del>
29		<u>2,400,000</u>

30 2. a. The department of justice, in submitting budget  
31 estimates for the fiscal year commencing July 1, 2015, pursuant  
32 to section 8.23, shall include a report of funding from sources  
33 other than amounts appropriated directly from the general fund  
34 of the state to the department of justice or to the office of  
35 consumer advocate. These funding sources shall include but

1 are not limited to reimbursements from other state agencies,  
 2 commissions, boards, or similar entities, and reimbursements  
 3 from special funds or internal accounts within the department  
 4 of justice. The department of justice shall also report actual  
 5 reimbursements for the fiscal year commencing July 1, 2013,  
 6 and actual and expected reimbursements for the fiscal year  
 7 commencing July 1, 2014.

8     b. The department of justice shall include the report  
 9 required under paragraph "a", as well as information regarding  
 10 any revisions occurring as a result of reimbursements actually  
 11 received or expected at a later date, in a report to the  
 12 co-chairpersons and ranking members of the joint appropriations  
 13 subcommittee on the justice system and the legislative services  
 14 agency. The department of justice shall submit the report on  
 15 or before January 15, 2015.

16     Sec. 4. 2013 Iowa Acts, chapter 139, section 20, is amended  
 17 to read as follows:

18     SEC. 20. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
 19 from the department of commerce revolving fund created in  
 20 section 546.12 to the office of consumer advocate of the  
 21 department of justice for the fiscal year beginning July 1,  
 22 2014, and ending June 30, 2015, the following amount, or so  
 23 much thereof as is necessary, to be used for the purposes  
 24 designated:

25     For salaries, support, maintenance, miscellaneous purposes,  
 26 and for not more than the following full-time equivalent  
 27 positions:

28 .....	\$	<del>1,568,082</del>
29 .....		<u>3,137,588</u>
30 .....	FTEs	22.00

31     Sec. 5. 2013 Iowa Acts, chapter 139, section 21, is amended  
 32 to read as follows:

33     SEC. 21. DEPARTMENT OF CORRECTIONS — FACILITIES.

34     1. There is appropriated from the general fund of the  
 35 state to the department of corrections for the fiscal year

1 beginning July 1, 2014, and ending June 30, 2015, the following  
 2 amounts, or so much thereof as is necessary, to be used for the  
 3 operation of adult correctional institutions, reimbursement  
 4 of counties for certain confinement costs, and federal prison  
 5 reimbursement, to be allocated as follows:

6 a. For the operation of the Fort Madison correctional  
 7 facility, including salaries, support, maintenance, and  
 8 miscellaneous purposes:

9 ..... \$ ~~21,553,567~~  
 10 42,655,684

11 b. For the operation of the Anamosa correctional facility,  
 12 including salaries, support, maintenance, and miscellaneous  
 13 purposes:

14 ..... \$ ~~16,460,261~~  
 15 33,344,253

16 It is the intent of the general assembly that the department  
 17 of corrections maintain and operate the Luster Heights prison  
 18 camp.

19 c. For the operation of the Oakdale correctional facility,  
 20 including salaries, support, maintenance, and miscellaneous  
 21 purposes:

22 ..... \$ ~~29,275,062~~  
 23 59,132,786

24 d. For the operation of the Newton correctional facility,  
 25 including salaries, support, maintenance, and miscellaneous  
 26 purposes:

27 ..... \$ ~~13,563,645~~  
 28 27,464,108

29 e. For the operation of the Mt. Pleasant correctional  
 30 facility, including salaries, support, maintenance, and  
 31 miscellaneous purposes:

32 ..... \$ ~~12,405,714~~  
 33 24,982,135

34 f. For the operation of the Rockwell City correctional  
 35 facility, including salaries, support, maintenance, and

1 miscellaneous purposes:  
2 ..... \$ ~~4,835,574~~  
3 9,728,353  
4 g. For the operation of the Clarinda correctional facility,  
5 including salaries, support, maintenance, and miscellaneous  
6 purposes:  
7 ..... \$ ~~12,620,808~~  
8 25,717,430  
9 Moneys received by the department of corrections as  
10 reimbursement for services provided to the Clarinda youth  
11 corporation are appropriated to the department and shall be  
12 used for the purpose of operating the Clarinda correctional  
13 facility.  
14 h. For the operation of the Mitchellville correctional  
15 facility, including salaries, support, maintenance, and  
16 miscellaneous purposes:  
17 ..... \$ ~~10,802,018~~  
18 21,937,970  
19 i. For the operation of the Fort Dodge correctional  
20 facility, including salaries, support, maintenance, and  
21 miscellaneous purposes:  
22 ..... \$ ~~14,932,616~~  
23 29,989,648  
24 j. For reimbursement of counties for temporary confinement  
25 of work release and parole violators, as provided in sections  
26 901.7, 904.908, and 906.17, and for offenders confined pursuant  
27 to section 904.513:  
28 ..... \$ ~~537,546~~  
29 1,075,092  
30 k. For federal prison reimbursement, reimbursements for  
31 out-of-state placements, and miscellaneous contracts:  
32 ..... \$ ~~242,206~~  
33 484,411  
34 2. The department of corrections shall use moneys  
35 appropriated in subsection 1 to continue to contract for the

1 services of a Muslim imam and a Native American spiritual  
2 leader.

3 Sec. 6. 2013 Iowa Acts, chapter 139, section 22, is amended  
4 to read as follows:

5 SEC. 22. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

6 There is appropriated from the general fund of the state to the  
7 department of corrections for the fiscal year beginning July  
8 1, 2014, and ending June 30, 2015, the following amounts, or  
9 so much thereof as is necessary, to be used for the purposes  
10 designated:

11 1. For general administration, including salaries, support,  
12 maintenance, employment of an education director to administer  
13 a centralized education program for the correctional system,  
14 and miscellaneous purposes:

15 ..... \$ ~~2,540,791~~  
16 5,270,010

17 a. It is the intent of the general assembly that each  
18 lease negotiated by the department of corrections with a  
19 private corporation for the purpose of providing private  
20 industry employment of inmates in a correctional institution  
21 shall prohibit the private corporation from utilizing inmate  
22 labor for partisan political purposes for any person seeking  
23 election to public office in this state and that a violation  
24 of this requirement shall result in a termination of the lease  
25 agreement.

26 b. It is the intent of the general assembly that as a  
27 condition of receiving the appropriation provided in this  
28 subsection the department of corrections shall not enter into  
29 a lease or contractual agreement pursuant to section 904.809  
30 with a private corporation for the use of building space for  
31 the purpose of providing inmate employment without providing  
32 that the terms of the lease or contract establish safeguards to  
33 restrict, to the greatest extent feasible, access by inmates  
34 working for the private corporation to personal identifying  
35 information of citizens.

1     2. For educational programs for inmates at state penal  
2 institutions:  
3 ..... \$ 1,304,055  
4 ..... 2,608,109  
5     a. To maximize the funding for educational programs,  
6 the department shall establish guidelines and procedures to  
7 prioritize the availability of educational and vocational  
8 training for inmates based upon the goal of facilitating an  
9 inmate's successful release from the correctional institution.  
10    b. The director of the department of corrections may  
11 transfer moneys from Iowa prison industries and the canteen  
12 operating funds established pursuant to section 904.310, for  
13 use in educational programs for inmates.  
14    c. Notwithstanding section 8.33, moneys appropriated in  
15 this subsection that remain unobligated or unexpended at the  
16 close of the fiscal year shall not revert but shall remain  
17 available to be used only for the purposes designated in this  
18 subsection until the close of the succeeding fiscal year.  
19    3. For the development of the Iowa corrections offender  
20 network (ICON) data system:  
21 ..... \$ 1,000,000  
22 ..... 2,000,000  
23    4. For offender mental health and substance abuse  
24 treatment:  
25 ..... \$ 11,160  
26 ..... 22,319  
27    ~~5. For viral hepatitis prevention and treatment:~~  
28 ~~..... \$ 83,941~~  
29    ~~6. For operations costs and miscellaneous purposes:~~  
30 ~~..... \$ 1,285,655~~  
31    7. It is the intent of the general assembly that for  
32 the fiscal year addressed by this section the department of  
33 corrections shall continue to operate the correctional farms  
34 under the control of the department at the same or greater  
35 level of participation and involvement as existed as of January



1 1, 2011; shall not enter into any rental agreement or contract  
 2 concerning any farmland under the control of the department  
 3 that is not subject to a rental agreement or contract as of  
 4 January 1, 2011, without prior legislative approval; and  
 5 shall further attempt to provide job opportunities at the  
 6 farms for inmates. The department shall attempt to provide  
 7 job opportunities at the farms for inmates by encouraging  
 8 labor-intensive farming or gardening where appropriate; using  
 9 inmates to grow produce and meat for institutional consumption;  
 10 researching the possibility of instituting food canning  
 11 and cook-and-chill operations; and exploring opportunities  
 12 for organic farming and gardening, livestock ventures,  
 13 horticulture, and specialized crops.

14 Sec. 7. 2013 Iowa Acts, chapter 139, section 23, is amended  
 15 to read as follows:

16 SEC. 23. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
 17 SERVICES.

18 1. There is appropriated from the general fund of the state  
 19 to the department of corrections for the fiscal year beginning  
 20 July 1, 2014, and ending June 30, 2015, for salaries, support,  
 21 maintenance, and miscellaneous purposes, the following amounts,  
 22 or so much thereof as is necessary, to be allocated as follows:

23 a. For the first judicial district department of  
 24 correctional services:

25 .....	\$	<del>7,049,543</del>
26		<u>14,653,677</u>

27 b. For the second judicial district department of  
 28 correctional services:

29 .....	\$	<del>5,435,213</del>
30		<u>11,098,361</u>

31 c. For the third judicial district department of  
 32 correctional services:

33 .....	\$	<del>3,552,933</del>
34		<u>7,241,257</u>

35 d. For the fourth judicial district department of

1 correctional services:

2 ..... \$ ~~2,747,655~~  
 3 5,608,005

4 e. For the fifth judicial district department of  
 5 correctional services, including funding for electronic  
 6 monitoring devices for use on a statewide basis:

7 ..... \$ ~~9,687,714~~  
 8 19,817,516

9 f. For the sixth judicial district department of  
 10 correctional services:

11 ..... \$ ~~7,319,269~~  
 12 14,833,623

13 g. For the seventh judicial district department of  
 14 correctional services:

15 ..... \$ ~~3,804,891~~  
 16 7,745,173

17 h. For the eighth judicial district department of  
 18 correctional services:

19 ..... \$ ~~4,103,307~~  
 20 8,133,194

21 2. Each judicial district department of correctional  
 22 services, within the funding available, shall continue programs  
 23 and plans established within that district to provide for  
 24 intensive supervision, sex offender treatment, diversion of  
 25 low-risk offenders to the least restrictive sanction available,  
 26 job development, and expanded use of intermediate criminal  
 27 sanctions.

28 3. Each judicial district department of correctional  
 29 services shall provide alternatives to prison consistent with  
 30 chapter 901B. The alternatives to prison shall ensure public  
 31 safety while providing maximum rehabilitation to the offender.  
 32 A judicial district department of correctional services may  
 33 also establish a day program.

34 4. The governor's office of drug control policy shall  
 35 consider federal grants made to the department of corrections

1 for the benefit of each of the eight judicial district  
2 departments of correctional services as local government  
3 grants, as defined pursuant to federal regulations.

4 5. The department of corrections shall continue to contract  
5 with a judicial district department of correctional services to  
6 provide for the rental of electronic monitoring equipment which  
7 shall be available statewide.

8 Sec. 8. 2013 Iowa Acts, chapter 139, section 24, is amended  
9 to read as follows:

10 SEC. 24. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
11 APPROPRIATIONS. Notwithstanding section 8.39, within the  
12 moneys appropriated in this division of this Act to the  
13 department of corrections, the department may reallocate the  
14 moneys appropriated and allocated as necessary to best fulfill  
15 the needs of the correctional institutions, administration  
16 of the department, and the judicial district departments of  
17 correctional services. However, in addition to complying with  
18 the requirements of sections 904.116 and 905.8 and providing  
19 notice to the legislative services agency, the department  
20 of corrections shall also provide notice to the department  
21 of management, prior to the effective date of the revision  
22 or reallocation of an appropriation made pursuant to this  
23 section. The department of corrections shall not reallocate an  
24 appropriation or allocation for the purpose of eliminating any  
25 program.

26 Sec. 9. 2013 Iowa Acts, chapter 139, section 25, is amended  
27 to read as follows:

28 SEC. 25. INTENT — REPORTS.

29 1. The department of corrections in cooperation with  
30 townships, the Iowa cemetery associations, and other nonprofit  
31 or governmental entities may use inmate labor during the  
32 fiscal year beginning July 1, 2014, to restore or preserve  
33 rural cemeteries and historical landmarks. The department in  
34 cooperation with the counties may also use inmate labor to  
35 clean up roads, major water sources, and other water sources

1 around the state.

2     2. On a quarterly basis the department shall provide a  
3 status report regarding private-sector employment to the  
4 legislative services agency beginning on July 1, 2014. The  
5 report shall include the number of offenders employed in the  
6 private sector, the combined number of hours worked by the  
7 offenders, the total amount of allowances, and the distribution  
8 of allowances pursuant to section 904.702, including any moneys  
9 deposited in the general fund of the state.

10     Sec. 10. 2013 Iowa Acts, chapter 139, section 26, is amended  
11 to read as follows:

12     SEC. 26. ELECTRONIC MONITORING REPORT. The department of  
13 corrections shall submit a report on electronic monitoring to  
14 the general assembly, to the co-chairpersons and the ranking  
15 members of the joint appropriations subcommittee on the justice  
16 system, and to the legislative services agency by January  
17 15, 2015. The report shall specifically address the number  
18 of persons being electronically monitored and break down the  
19 number of persons being electronically monitored by offense  
20 committed. The report shall also include a comparison of any  
21 data from the prior fiscal year with the current year.

22     Sec. 11. 2013 Iowa Acts, chapter 139, section 27, is amended  
23 to read as follows:

24     SEC. 27. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

25     1. As used in this section, unless the context otherwise  
26 requires, "state agency" means the government of the state  
27 of Iowa, including but not limited to all executive branch  
28 departments, agencies, boards, bureaus, and commissions, the  
29 judicial branch, the general assembly and all legislative  
30 agencies, institutions within the purview of the state board of  
31 regents, and any corporation whose primary function is to act  
32 as an instrumentality of the state.

33     2. State agencies are hereby encouraged to purchase  
34 products from Iowa state industries, as defined in section  
35 904.802, when purchases are required and the products are

1 available from Iowa state industries. State agencies shall  
 2 obtain bids from Iowa state industries for purchases of  
 3 office furniture during the fiscal year beginning July 1,  
 4 2014, exceeding \$5,000 or in accordance with applicable  
 5 administrative rules related to purchases for the agency.

6 Sec. 12. 2013 Iowa Acts, chapter 139, section 28, is amended  
 7 to read as follows:

8 SEC. 28. IOWA LAW ENFORCEMENT ACADEMY.

9 1. There is appropriated from the general fund of the  
 10 state to the Iowa law enforcement academy for the fiscal year  
 11 beginning July 1, 2014, and ending June 30, 2015, the following  
 12 amount, or so much thereof as is necessary, to be used for the  
 13 purposes designated:

14 For salaries, support, maintenance, miscellaneous purposes,  
 15 including jailer training and technical assistance, and for not  
 16 more than the following full-time equivalent positions:

17 .....	\$	500,849
18 .....		<u>1,003,214</u>
19 .....	FTEs	23.88
20 .....		<u>23.00</u>

21 It is the intent of the general assembly that the Iowa law  
 22 enforcement academy may provide training of state and local  
 23 law enforcement personnel concerning the recognition of and  
 24 response to persons with Alzheimers's disease.

25 The Iowa law enforcement academy may temporarily exceed and  
 26 draw more than the amount appropriated in this subsection and  
 27 incur a negative cash balance as long as there are receivables  
 28 equal to or greater than the negative balance and the amount  
 29 appropriated in this subsection is not exceeded at the close  
 30 of the fiscal year.

31 2. The Iowa law enforcement academy may select at least  
 32 five automobiles of the department of public safety, division  
 33 of state patrol, prior to turning over the automobiles to  
 34 the department of administrative services to be disposed  
 35 of by public auction, and the Iowa law enforcement academy

1 may exchange any automobile owned by the academy for each  
 2 automobile selected if the selected automobile is used in  
 3 training law enforcement officers at the academy. However, any  
 4 automobile exchanged by the academy shall be substituted for  
 5 the selected vehicle of the department of public safety and  
 6 sold by public auction with the receipts being deposited in the  
 7 depreciation fund to the credit of the department of public  
 8 safety, division of state patrol.

9 Sec. 13. 2013 Iowa Acts, chapter 139, section 29, is amended  
 10 to read as follows:

11 SEC. 29. STATE PUBLIC DEFENDER. There is appropriated from  
 12 the general fund of the state to the office of the state public  
 13 defender of the department of inspections and appeals for the  
 14 fiscal year beginning July 1, 2014, and ending June 30, 2015,  
 15 the following amounts, or so much thereof as is necessary, to  
 16 be allocated as follows for the purposes designated:

17 1. For salaries, support, maintenance, miscellaneous  
 18 purposes, and for not more than the following full-time  
 19 equivalent positions:

20 .....	\$ <del>12,931,091</del>
21 .....	<u>25,882,243</u>
22 .....	FTEs <del>219.00</del>
23 .....	<u>221.00</u>

24 2. For payments on behalf of eligible adults and juveniles  
 25 from the indigent defense fund, in accordance with section  
 26 815.11:

27 .....	\$ <del>14,950,965</del>
28 .....	<u>29,901,929</u>

29 Sec. 14. 2013 Iowa Acts, chapter 139, section 30, is amended  
 30 to read as follows:

31 SEC. 30. BOARD OF PAROLE. There is appropriated from the  
 32 general fund of the state to the board of parole for the fiscal  
 33 year beginning July 1, 2014, and ending June 30, 2015, the  
 34 following amount, or so much thereof as is necessary, to be  
 35 used for the purposes designated:

1 For salaries, support, maintenance, miscellaneous purposes,  
2 and for not more than the following full-time equivalent  
3 positions:

4 .....	\$	<del>601,918</del>
5 .....		<u>1,204,583</u>
6 .....	FTEs	11.00

7 Sec. 15. 2013 Iowa Acts, chapter 139, section 31, is amended  
8 to read as follows:

9 SEC. 31. DEPARTMENT OF PUBLIC DEFENSE — DEPARTMENT  
10 OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There is  
11 appropriated from the general fund of the state to the  
12 department of public defense or the department of homeland  
13 security and emergency management, as applicable, for the  
14 fiscal year beginning July 1, 2014, and ending June 30, 2015,  
15 the following amounts, or so much thereof as is necessary, to  
16 be used for the purposes designated:

17 1. MILITARY DIVISION

18 For salaries, support, maintenance, miscellaneous purposes,  
19 and for not more than the following full-time equivalent  
20 positions:

21 .....	\$	<del>3,263,521</del>
22 .....		<u>6,554,478</u>
23 .....	FTEs	<del>293.61</del>
24 .....		<u>283.50</u>

25 The military division may temporarily exceed and draw more  
26 than the amount appropriated in this subsection and incur a  
27 negative cash balance as long as there are receivables of  
28 federal funds equal to or greater than the negative balance and  
29 the amount appropriated in this subsection is not exceeded at  
30 the close of the fiscal year.

31 2. THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
32 MANAGEMENT DIVISION OF SUCCESSOR AGENCY

33 For salaries, support, maintenance, miscellaneous purposes,  
34 and for not more than the following full-time equivalent  
35 positions:

1 .....	\$	<del>1,087,139</del>
2		<u>2,629,623</u>
3 .....	FTEs	<del>37.40</del>
4		<u>36.13</u>

5     a. The department of homeland security and emergency  
6 management ~~division or successor agency~~ may temporarily  
7 exceed and draw more than the amount appropriated in this  
8 subsection and incur a negative cash balance as long as there  
9 are receivables of federal funds equal to or greater than the  
10 negative balance and the amount appropriated in this subsection  
11 is not exceeded at the close of the fiscal year.

12     b. It is the intent of the general assembly that the  
13 department of homeland security and emergency management  
14 ~~division or successor agency~~ work in conjunction with the  
15 department of public safety, to the extent possible, when  
16 gathering and analyzing information related to potential  
17 domestic or foreign security threats, and when monitoring such  
18 threats.

19     Sec. 16. 2013 Iowa Acts, chapter 139, section 32, is amended  
20 to read as follows:

21     SEC. 32. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
22 from the general fund of the state to the department of public  
23 safety for the fiscal year beginning July 1, 2014, and ending  
24 June 30, 2015, the following amounts, or so much thereof as is  
25 necessary, to be used for the purposes designated:

26     1. For the department's administrative functions, including  
27 the criminal justice information system, and for not more than  
28 the following full-time equivalent positions:

29 .....	\$	<del>2,033,527</del>
30		<u>4,183,349</u>
31 .....	FTEs	39.00

32     2. For the division of criminal investigation, including  
33 the state's contribution to the peace officers' retirement,  
34 accident, and disability system provided in chapter 97A in the  
35 amount of the state's normal contribution rate, as defined in



1 section 97A.8, multiplied by the salaries for which the moneys  
 2 are appropriated, to meet federal fund matching requirements,  
 3 and for not more than the following full-time equivalent  
 4 positions:

5 .....	\$	<del>6,466,707</del>
6		<u>13,625,414</u>
7 .....	FTEs	<del>149.60</del>
8		<u>150.60</u>

9 3. For the criminalistics laboratory fund created in  
 10 section 691.9:

11 .....	\$	<del>151,173</del>
12		<u>302,345</u>

13 4. a. For the division of narcotics enforcement, including  
 14 the state's contribution to the peace officers' retirement,  
 15 accident, and disability system provided in chapter 97A in the  
 16 amount of the state's normal contribution rate, as defined in  
 17 section 97A.8, multiplied by the salaries for which the moneys  
 18 are appropriated, to meet federal fund matching requirements,  
 19 and for not more than the following full-time equivalent  
 20 positions:

21 .....	\$	<del>3,377,928</del>
22		<u>6,919,855</u>
23 .....	FTEs	<del>66.00</del>
24		<u>65.50</u>

25 b. For the division of narcotics enforcement for undercover  
 26 purchases:

27 .....	\$	<del>54,521</del>
28		<u>109,042</u>

29 5. For the division of state fire marshal, for fire  
 30 protection services as provided through the state fire service  
 31 and emergency response council as created in the department,  
 32 and for the state's contribution to the peace officers'  
 33 retirement, accident, and disability system provided in chapter  
 34 97A in the amount of the state's normal contribution rate,  
 35 as defined in section 97A.8, multiplied by the salaries for

1 which the moneys are appropriated, and for not more than the  
2 following full-time equivalent positions:

3 .....	\$	<del>2,235,278</del>
4 .....		<u>4,590,556</u>
5 .....	FTEs	53.00

6 6. For the division of state patrol, for salaries, support,  
7 maintenance, workers' compensation costs, and miscellaneous  
8 purposes, including the state's contribution to the peace  
9 officers' retirement, accident, and disability system provided  
10 in chapter 97A in the amount of the state's normal contribution  
11 rate, as defined in section 97A.8, multiplied by the salaries  
12 for which the moneys are appropriated, and for not more than  
13 the following full-time equivalent positions:

14 .....	\$	<del>27,768,104</del>
15 .....		<u>61,670,291</u>
16 .....	FTEs	<del>494.47</del>
17 .....		<u>527.00</u>

18 It is the intent of the general assembly that the department  
19 of public safety add additional members to the state patrol to  
20 the current number of members of the state patrol as of July 1,  
21 2014.

22 It is the intent of the general assembly that members of the  
23 state patrol be assigned to patrol the highways and roads in  
24 lieu of assignments for inspecting school buses for the school  
25 districts.

26 ~~7. For operations costs, and miscellaneous purposes:~~

27 .....	\$	<del>850,000</del>
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28 8. For deposit in the sick leave benefits fund established  
29 under section 80.42 for all departmental employees eligible to  
30 receive benefits for accrued sick leave under the collective  
31 bargaining agreement:

32 .....	\$	<del>139,759</del>
33 .....		<u>279,517</u>

34 9. For costs associated with the training and equipment  
35 needs of volunteer fire fighters:

1 ..... \$ 362,760  
 2 ..... 825,520

3 a. Notwithstanding section 8.33, moneys appropriated in  
 4 this subsection that remain unencumbered or unobligated at the  
 5 close of the fiscal year shall not revert but shall remain  
 6 available for expenditure only for the purpose designated in  
 7 this subsection until the close of the succeeding fiscal year.

8 b. Notwithstanding section 8.39, the department of public  
 9 safety may reallocate moneys appropriated in this section  
 10 as necessary to best fulfill the needs provided for in the  
 11 appropriation. However, the department shall not reallocate  
 12 moneys appropriated to the department in this section unless  
 13 notice of the reallocation is given to the legislative services  
 14 agency and the department of management prior to the effective  
 15 date of the reallocation. The notice shall include information  
 16 regarding the rationale for reallocating the moneys. The  
 17 department shall not reallocate moneys appropriated in this  
 18 section for the purpose of eliminating any program.

19 10. For the public safety interoperable and broadband  
 20 communications fund established in section 80.44:

21 ..... \$ 154,661

22 Sec. 17. 2013 Iowa Acts, chapter 139, section 33, is amended  
 23 to read as follows:

24 SEC. 33. GAMING ENFORCEMENT.

25 1. There is appropriated from the gaming enforcement  
 26 revolving fund created in section 80.43 to the department of  
 27 public safety for the fiscal year beginning July 1, 2014, and  
 28 ending June 30, 2015, the following amount, or so much thereof  
 29 as is necessary, to be used for the purposes designated:

30 For any direct support costs for agents and officers of  
 31 the division of criminal investigation's excursion gambling  
 32 boat, gambling structure, and racetrack enclosure enforcement  
 33 activities, including salaries, support, maintenance,  
 34 miscellaneous purposes, and for not more than the following  
 35 full-time equivalent positions:

1	.....	\$	<del>5,449,004</del>
2			<u>10,898,008</u>
3	.....	FTEs	<del>115.00</del>
4			<u>109.00</u>

5     2. For each additional license to conduct gambling games on  
6 an excursion gambling boat, gambling structure, or racetrack  
7 enclosure issued during the fiscal year beginning July 1, 2014,  
8 there is appropriated from the gaming enforcement fund to the  
9 department of public safety for the fiscal year beginning July  
10 1, 2014, and ending June 30, 2015, an additional amount of not  
11 more than \$300,000 to be used for not more than 3.00 additional  
12 full-time equivalent positions.

13     3. The department of public safety, with the approval of the  
14 department of management, may employ no more than three special  
15 agents for each additional riverboat or gambling structure  
16 regulated after July 1, 2014, and three special agents for  
17 each racing facility which becomes operational during the  
18 fiscal year which begins July 1, 2014. Positions authorized  
19 in this subsection are in addition to the full-time equivalent  
20 positions otherwise authorized in this section.

21     Sec. 18. 2013 Iowa Acts, chapter 139, section 34, is amended  
22 to read as follows:

23     SEC. 34. CIVIL RIGHTS COMMISSION. There is appropriated  
24 from the general fund of the state to the Iowa state civil  
25 rights commission for the fiscal year beginning July 1,  
26 2014, and ending June 30, 2015, the following amount, or so  
27 much thereof as is necessary, to be used for the purposes  
28 designated:

29     For salaries, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time equivalent  
31 positions:

32	.....	\$	<del>648,535</del>
33			<u>1,169,540</u>
34	.....	FTEs	28.00

35     The Iowa state civil rights commission may enter into

1 a contract with a nonprofit organization to provide legal  
2 assistance to resolve civil rights complaints.

3 Sec. 19. 2013 Iowa Acts, chapter 139, section 35, is amended  
4 to read as follows:

5 SEC. 35. CRIMINAL AND JUVENILE JUSTICE PLANNING  
6 DIVISION. There is appropriated from the general fund of the  
7 state to the criminal and juvenile justice planning division of  
8 the department of human rights for the fiscal year beginning  
9 July 1, 2013, and ending June 30, 2014, the following amounts,  
10 or so much thereof as is necessary, to be used for the purposes  
11 designated:

12 For salaries, support, maintenance, and miscellaneous  
13 purposes, and for not more than the following full-time  
14 equivalent positions:

15 .....	\$	630,053
16 .....		<u>1,100,105</u>
17 .....	FTEs	<u>10.81</u>
18 .....		<u>10.38</u>

19 The criminal and juvenile justice planning advisory council  
20 and the juvenile justice advisory council shall coordinate  
21 their efforts in carrying out their respective duties relative  
22 to juvenile justice.

23 Sec. 20. 2013 Iowa Acts, chapter 139, section 36, is amended  
24 to read as follows:

25 SEC. 36. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
26 MANAGEMENT DIVISION. There is appropriated from the ~~wireless~~  
27 E911 emergency communications fund created in section  
28 34A.7A to the department of homeland security and emergency  
29 ~~management division or successor agency~~ for the fiscal year  
30 beginning July 1, 2014, and ending June 30, 2015, an amount not  
31 exceeding \$250,000 to be used for implementation, support, and  
32 maintenance of the functions of the administrator and program  
33 manager under chapter 34A and to employ the auditor of the  
34 state to perform an annual audit of the ~~wireless~~ E911 emergency  
35 communications fund.

### DIVISION III

## MISCELLANEOUS PROVISIONS

3     Sec. 21. Section 13.2, subsection 1, Code 2014, is amended  
4 by adding the following new paragraphs:

5     NEW PARAGRAPH.   o.   Submit a report by January 15 of each  
6 year to the co-chairpersons and ranking members of the joint  
7 appropriations subcommittee on the justice system and to the  
8 legislative services agency detailing the amount of annual  
9 money receipts generated by each settlement, judgment, or  
10 forfeiture collected pursuant to legal proceedings pursuant  
11 to chapters 455B, 537, 553, 714, and 809A. The report shall  
12 include the name of the civil or criminal case involved, the  
13 court of jurisdiction, the settlement amount including the  
14 state's share of the settlement, the name of the fund in which  
15 the receipts were deposited, and the planned use of the moneys.

16     NEW PARAGRAPH.   *p.*   Provide documentation to the executive  
17 council prior to accepting any settlement on behalf of the  
18 state from a legal proceeding under chapters 455B, 553, and  
19 714. The documentation shall include but is not limited to  
20 the name of the civil or criminal case involved, the court of  
21 jurisdiction, the proposed settlement amount including the  
22 state's share of the settlement, the name of the fund in which  
23 the moneys are to be deposited, and the planned use of the  
24 moneys.

25      Sec. 22. NEW SECTION.   13.2A   Executive council approval —  
26 prior to settlement.

27 The executive council must approve a settlement prior to the  
28 attorney general accepting such a settlement under chapters  
29 455B, 553, and 714.

30       Sec. 23. NEW SECTION.   13.32   Victim assistance program —  
31   payments.

1. *a.* Prior to issuance of a warrant or its equivalent for a claim for compensation payable from the state treasury to a contractor awarded a contract to provide victim services for a victim assistance program administered under section 13.31,

1 subsection 1, 3, 4, or 6, the department of justice shall file  
2 an itemized voucher with the department of administrative  
3 services showing in detail the items of service, expense, the  
4 item furnished, or contract for which payment is sought. The  
5 claimant's original invoice shall be attached to the department  
6 of justice's approved voucher. The director of administrative  
7 services shall adopt rules specifying the form and contents for  
8 invoices submitted by a contractor to the department of justice  
9 to administer this section. The director of administrative  
10 services may exempt the department of justice from the invoice  
11 requirements or a part of the requirements upon a finding  
12 that compliance would result in poor accounting or management  
13 practices.

14     *b.* The department of administrative services shall deny a  
15 claim for compensation if the voucher or invoice do not comply  
16 with the provisions of this section.

17     2. Unless the director of administrative services exempts  
18 the department of justice from the invoice requirements under  
19 subsection 1, the invoice submitted for approval and payment  
20 by a contractor awarded a contract to provide victim services  
21 shall include the following:

22     *a.* A completed claim on an invoice form approved by the  
23 department of justice.

24     *b.* (1) An itemization detailing all work performed under  
25 the contract shall contain all of the following, as applicable:

26         (i) A separate statement for the date and amount of time  
27 spent on each activity. Time shall be reported in tenths or  
28 hundredths of an hour on the invoice but must be recorded in  
29 tenths of an hour on the voucher. Time listed in hundredths of  
30 an hour on the invoice shall be reduced to the nearest tenth of  
31 an hour on the voucher.

32         (ii) A separate statement for the mileage including the date  
33 traveled, the location traveled to and from, and the miles and  
34 route traveled.

35         (iii) The individual receipts for each reimbursement claimed.

1     (2) The itemization shall be submitted in chronological  
2 order.

3     (3) The itemization shall be typed in at least ten point  
4 type on eight and one half by eleven inch paper.

5     3. The department of justice shall deny a claim if the  
6 invoice submitted for compensation does not comply with this  
7 section.

8     4. A claim for services by an agency for victim services  
9 performed prior to the effective date of the contract with the  
10 department of justice shall be denied.

11    Sec. 24. Section 97B.49B, subsection 1, paragraph e, Code  
12 2014, is amended by adding the following new subparagraph:

13    NEW SUBPARAGRAPH. (13) A person other than a deputy  
14 sheriff, jailer, or detention officer who is employed by a  
15 sheriff to provide courthouse security services or prisoner  
16 transportation duties, is required as a condition of employment  
17 to carry a firearm and has been professionally trained and  
18 qualified in the use of any firearm in connection with the  
19 individual's duties, is required and authorized under limited  
20 circumstances to perform law enforcement duties that may  
21 include but are not limited to detaining persons, taking  
22 persons into custody, making arrests, transporting or providing  
23 custody and care for those persons under the sheriff's control,  
24 and is a certified Iowa peace officer, has Iowa reserve  
25 peace officer certification, or has equivalent peace officer  
26 training.

27    Sec. 25. Section 804.6, Code 2014, is amended to read as  
28 follows:

29    **804.6 Persons authorized to make an arrest.**

30    An arrest pursuant to a warrant shall be made only by a  
31 peace officer; in other cases, an arrest may be made by a peace  
32 officer, a person defined under section 97B.49B, subsection  
33 1, paragraph "e", or by a private person as provided in this  
34 chapter.

35    Sec. 26. NEW SECTION. **804.6A Arrest warrant — service by**



1 **bailiff and security personnel.**

2 A person defined under section 97B.49B, subsection 1,  
3 paragraph "e", while working at a courthouse, may serve an  
4 arrest warrant, take the arrested person before a magistrate,  
5 or deliver the arrested person to a peace officer, who may take  
6 the arrested person before a magistrate.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with  
9 the explanation's substance by the members of the general assembly.

10 This bill relates to and makes appropriations to the justice  
11 system.

12 DIVISION I — FY 2013-2014 — APPROPRIATIONS. The bill  
13 specifies that up to \$500,000 of the moneys appropriated  
14 to the department of corrections for the operation of Fort  
15 Madison for fiscal year 2013-2014 may be used for the remodel  
16 of the relocated John Bennett facility and the demolition of  
17 the existing farm bunkhouse adjacent to the newly constructed  
18 Fort Madison correctional facility. The bill allows the  
19 moneys designated for the remodel or demolition that remain  
20 unencumbered or unobligated to remain available to be used for  
21 such purposes until the close of fiscal year 2014-2015. The  
22 provision takes effect upon enactment.

23 DIVISION II — FY 2014-2015 — APPROPRIATIONS. The bill  
24 makes appropriations from the general fund of the state  
25 for fiscal year 2014-2015 to the departments of justice,  
26 corrections, public defense, and public safety, and the Iowa  
27 law enforcement academy, office of the state public defender,  
28 board of parole, Iowa state civil rights commission, and  
29 the criminal and juvenile justice planning division of the  
30 department of human rights.

31 The bill appropriates moneys from the department of commerce  
32 revolving fund to the office of consumer advocate of the  
33 department of justice for fiscal year 2014-2015.

34 The bill also appropriates moneys from the gaming  
35 enforcement revolving fund to the department of public safety

1 for fiscal year 2014-2015.

2 The bill appropriates moneys from the E911 emergency  
3 communications fund to the department of homeland security and  
4 emergency management for fiscal year 2014-2015.

5 The bill specifies that it is the intent of the general  
6 assembly that the department of public safety add additional  
7 members to the state patrol to the current number of members of  
8 the state patrol.

9 DIVISION III — MISCELLANEOUS PROVISIONS. The bill, in  
10 new Code section 13.32, requires the department of justice to  
11 submit an itemized voucher to the department of administrative  
12 services for approval prior to issuance of a warrant or its  
13 equivalent for a claim of compensation payable from the state  
14 treasury to a contractor awarded to provide victim services for a  
15 victim assistance program administered under Code section 13.31  
16 for federal grants received, domestic abuse programs, family  
17 violence prevention, and violence against women programs and  
18 grants. The bill requires the department of justice to attach  
19 the claimant's original invoice to the department of justice's  
20 voucher. The bill does permit the director of administrative  
21 services to exempt the department of justice from the invoice  
22 requirements or a part of the requirements upon a finding  
23 that compliance would result in poor accounting or management  
24 practices.

25 The bill specifies that an invoice submitted to the  
26 department of justice for approval and payment by a contractor  
27 awarded a contract to provide victim services shall include a  
28 completed claim on an invoice form approved by the department  
29 of justice, and an itemization detailing all work performed  
30 under the contract. The bill requires the itemization to  
31 contain all of the following: a separate statement for the  
32 date and amount of time spent on each activity; a separate  
33 statement for the mileage including the date traveled,  
34 the location traveled to and from, and the miles and route  
35 traveled; and the individual receipts for each reimbursement

1 claimed.

2 The bill also specifies that the itemization submitted to  
3 the department of justice be submitted in chronological order  
4 and be typed in at least ten point type on eight and one half by  
5 eleven inch paper.

6 The department of administrative services shall deny a  
7 claim for compensation if the invoice does not comply with the  
8 provisions of the bill. The bill also requires the department  
9 of justice to deny a claim if the invoice does not comply with  
10 the provisions of the bill.

11 Code section 13.2 is amended to require the attorney  
12 general to submit a report by January 15 of each year to the  
13 co-chairpersons and ranking members of the joint appropriations  
14 subcommittee on the justice system and to the legislative  
15 services agency detailing the amount of annual money receipts  
16 generated by each settlement, judgment, or forfeiture collected  
17 pursuant to legal proceedings involving Code chapters 455B  
18 (department of natural resources), 537 (consumer credit code),  
19 553 (Iowa competition law), 714 (theft, fraud, and related  
20 offenses), and 809A (forfeiture reform Act). The report shall  
21 include the name of the civil or criminal case involved, the  
22 court of jurisdiction, the settlement amount including the  
23 state's share of the settlement, the name of the fund in which  
24 the receipts were deposited, and the planned use of the moneys.

25 The bill further amends Code section 13.2 to require that  
26 the attorney general provide documentation to the executive  
27 council prior to accepting any settlement on behalf of the  
28 state under Code chapters 455B, 553, and 714. The bill  
29 provides that the documentation shall include the name of the  
30 civil or criminal case involved, the court of jurisdiction, the  
31 proposed settlement amount including the state's share of the  
32 settlement, the name of the fund in which the moneys are to be  
33 deposited, and the planned use of the moneys. New Code section  
34 13.2A requires the executive council to approve a settlement  
35 prior to the attorney general accepting the settlement under

1 Code chapters 455B, 553, and 714.

2 Code section 97B.49B is amended to provide that persons  
3 employed by a sheriff to provide courthouse security or  
4 prisoner transportation duties who are required to carry a  
5 firearm, have peace officer training, and are required to  
6 perform certain law enforcement duties, are included within the  
7 protection occupation category of the Iowa public employees'  
8 retirement system.

9 Under the amendment to Code section 804.6 and new Code  
10 section 804.6A, a person employed by a sheriff to provide  
11 courthouse security or prisoner transportation duties, while  
12 working at a courthouse, may serve an arrest warrant, take the  
13 arrested person before a magistrate, or deliver the arrested  
14 person to a peace officer, who may take the arrested person  
15 before a magistrate.